

North Carolina Utilities Commission Public Staff

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What is the Public Staff?

- Established in 1977 by N.C. Gen. Stat. § 62-15
- Represents the using and consuming public in North Carolina Utilities Commission proceedings
- Eighty staff members: engineers, accountants, economists, attorneys, analysts
- <https://publicstaff.nc.gov>

Background

- Electric utilities have an obligation to serve at the lowest reasonable cost
- Electric utilities also have the obligation to provide reliable service
 - Federal – NERC standards
 - State – no specific standards, but required to provide reliable service

Transmission Line Planning

- **Utility specific – internal analysis**
 - Power flow studies
 - Load growth
 - Alternatives
 - Surveys
 - Route selection
- **North Carolina Transmission Planning Collaborative**
 - Duke Energy Carolinas
 - Duke Energy Progress
 - ElectriCities of NC (municipals)
 - NCEMC (cooperatives)
 - Long-term integrated transmission expansion plan
 - Reliability
 - Cost
 - TAG – public input
- **Distributed generation**
 - SB 3 and HB 589

NCUC Authority

- Generally, construction of a transmission line of at least 161 kV requires a certificate of environmental compatibility and public convenience and necessity from the Commission (N.C. Gen. Stat. §§ 62-101 et. seq.)
- In order to obtain a certificate, utility must show:
 - Line is necessary
 - Route is reasonable
 - Costs are reasonable
 - Impact on the environment justified
- The costs of transmission lines are included in rate base and are reflected in the utility's rates
- NCUC Rule R8-62

Utility Easements

- A certificate granted by the Commission to build a transmission line does not include the necessary easements
 - Utility can use railroad or public highway ROW (N.C. Gen. Stat. § 62-180)
 - Utility can obtain right of way for the line from property owners
 - Width of easement needed depends on the size of the line – the greater the voltage of the line, the wider the easement
- Methods of obtaining easements
 - Voluntary conveyance
 - Dedication of public ROW or street by recordation of subdivision plat (N.C. Gen. Stat. § 62-182.1)
 - Condemnation (N.C. Gen. Stat. § 40A-3)
- NCUC does not have authority over establishment of or legal disputes concerning easements

Utility Easements cont.

- Easement costs are generally considered plant held for future use and are not in customer rates until the line is built and in service
- There is no statutory requirement that a utility use an easement within a certain time period
- Utilities reluctant to abandon or give up easements
 - Difficult and costly to obtain